



New South Wales

Transport Legislation Amendment Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to make miscellaneous amendments to legislation administered under the Transport portfolio.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Miscellaneous amendments to Transport Administration Act 1988 No 109

Schedule 1[2] makes an amendment to provide that the Secretary of the Department of Transport may assign in certain circumstances a senior executive of the Transport Service of New South Wales (*Transport Service*) to act in the role of a Transport Service senior executive in a band higher than the band in which the executive is employed. **Schedule 1[1]** makes a consequential amendment.

Schedule 1[3] makes an amendment to clarify that certain powers of entry relating to rail infrastructure facilities and land include passing over, on or through land adjacent to railway land. **Schedule 1[4]** amends the definition of *land adjacent to railway land*.

Schedule 2 Amendments about dissolution of Residual Holding Corporation

Schedule 2.1[32] provides for the dissolution of the Residual Transport Corporation and the abolition of the Residual Transport Corporation Fund. **Schedule 2.1** also makes consequential amendments.

Schedules 2.2–2.12 make amendments consequential on Schedule 2.1[32] to the following legislative instruments—

- (a) the *Criminal Procedure Regulation 2017*,
- (b) the *Local Government Act 1993*,
- (c) the *Pipelines Act 1967*,
- (d) the *Public Spaces (Unattended Property) Regulation 2022*,
- (e) the *Roads Act 1993*,
- (f) the *Rural Fires Act 1997*,
- (g) the *Transport Administration (General) Regulation 2018*,
- (h) the *Water Act 1912*,
- (i) the *Water Management (General) Regulation 2025*,
- (j) the *Water (Part 2—General) Regulation 1997*,
- (k) the *Water (Part 5—Bore Licences) Regulation 1995*.

Schedule 3 Amendments about dissolution of SRA Residual Holding Corporation

Schedule 3.1 provides for the date of dissolution of the State Rail Authority Residual Holding Corporation, also known as the SRA Residual Holding Corporation. It also makes consequential amendments.

Schedules 3.2 and 3.3 make consequential amendments to the *Government Sector Finance Regulation 2024* and the *Local Government Act 1993*.

Schedule 4 Amendments relating to Port Authority of New South Wales

Schedule 4.1[4] formally renames the Newcastle Port Corporation as the Port Authority of New South Wales. **Schedule 4.1[1]–[3]** make consequential amendments.

Schedules 4.2–4.9 make consequential amendments to the following legislative instruments—

- (a) the *Aware Super Act 1992*,
- (b) the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*,
- (c) the *Marine Pollution Act 2012*,
- (d) the *State Authorities Non-contributory Superannuation Act 1987*,
- (e) the *State Authorities Superannuation Act 1987*,
- (f) *State Environmental Planning Policy (Transport and Infrastructure) 2021*,
- (g) the *Superannuation Act 1916*.

Schedule 5 Miscellaneous amendments of other legislation

Schedule 5.1 Community Improvement Districts Act 2025 No 25

Schedule 5.1[1] clarifies that only one person from each business or commercial enterprise may vote in a CID proposal ballot. **Schedule 5.1[2]** provides that government land, if included in the operation of the *Community Improvement Districts Act 2025*, section 33, is designated as rateable land categorised as a business and is not exempt from rates charged under the *Local Government Act 1993*. **Schedule 5.1[3]** removes a redundant reference to Commonwealth land from a definition of *government land*.

Schedule 5.2 Marine Pollution Act 2012 No 5

Schedule 5.2 provides that the master and the owner of a prescribed ship are each guilty of an offence if the ship does not carry a garbage record book in circumstances where the ship is a recreational vessel with a gross tonnage of 100 or more that is not on an overseas voyage. Currently, the requirement only applies to a prescribed ship with a gross tonnage of 400 or more. This change gives effect to amendments made to MARPOL Annex V.

Schedule 5.3 Ports and Maritime Administration Act 1995 No 13

Schedule 5.3[1] amends the definition of *lines handling service* to exclude a vessel, or a vessel of a kind, identified by a harbour master for a port. **Schedule 5.3[2] and [3]** provide that the Port Authority may enter vessels, in addition to lands or premises, located at or adjacent to a pilotage port for certain purposes. **Schedule 5.3[4]–[6]** amend regulation-making powers contained in the *Ports and Maritime Administration Act 1995*, sections 46ZD and 110 and Schedule 4, respectively.

Schedule 5.4 Road Transport Act 2013 No 18

Schedule 5.4 removes a requirement for the Minister for Transport to obtain the concurrence of the Attorney General before recommending approval of the use of a device that measures the speed at which a vehicle is travelling.

Schedule 5.5 Roads Act 1993 No 33

Schedule 5.5[1] inserts proposed section 77A to provide that a roads authority must install, maintain and remove road work speed signs in accordance with the standard published by Transport for New South Wales in the Gazette. A roads authority must also ensure that a person acting on behalf of the roads authority, whether under a contract or another arrangement, must install, maintain and remove road work speed limit signs in accordance with the standard. **Schedule 5.5[2]** updates a cross-reference.



New South Wales

Transport Legislation Amendment Bill 2025

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This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council

Clerk of the Parliaments



New South Wales

Transport Legislation Amendment Bill 2025

No , 2025

A Bill for

An Act to amend various Acts relating to Transport portfolio matters; and to make consequential amendments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.

Legislative Assembly

Clerk of the Legislative Assembly

Tabling copy

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Transport Legislation Amendment Act 2025</i> .	3
2 Commencement	4
This Act commences as follows—	5
(a) for Schedules 4, 5.2, 5.3 and 5.5[1]—on a day or days to be appointed by proclamation,	6 7
(b) otherwise—on the date of assent to this Act.	8

Schedule 1 Miscellaneous amendments to Transport Administration Act 1988 No 109

[1] Section 68M, heading

Omit the heading. Insert instead—

68M Non-executive employees and senior managers acting in senior executive or senior manager roles

[2] Section 68MA

Insert after section 68M—

68MA Senior executive acting in senior executive role in higher band

- (1) The Transport Secretary may assign a Transport Service senior executive to act in the role of a Transport Service senior executive in a higher band than the band in which the executive is employed if—
 - (a) the person who is usually assigned to the other role is unavailable for any reason, or
 - (b) there is no person performing duties in the other role for the time being.
- (2) While assigned to act in the role of a Transport Service senior executive in the higher band, the person has, subject to any determination by the Transport Secretary, all the functions of the executive.
- (3) An assignment to act in the role of a Transport Service senior executive under this section may be terminated at any time by the Transport Secretary.
- (4) This section does not prevent the payment of an applicable allowance to a person when assigned to act in the role of a Transport Service senior executive under this section.

[3] Schedule 6A Powers relating to rail infrastructure facilities and land

Omit “and rail infrastructure facilities” from clause 3(3).

Insert instead “, rail infrastructure facilities and land adjacent to railway land”.

[4] Schedule 6A, clause 3(6), definition of “land adjacent to railway land”

Omit the definition. Insert instead—

land adjacent to railway land means the following—

- (a) land that is adjacent to or adjoins land owned or occupied by a rail authority,
- (b) land that is adjacent to or adjoins land in or on which—
 - (i) rail infrastructure facilities are located, or
 - (ii) a railway building is situated, or
 - (iii) an infrastructure owner or a building owner has an interest by way of easements or stratum parcel,
- (c) land in or on which rail infrastructure facilities are or a railway building is situated in which an infrastructure owner or a building owner has an interest by way of easements or stratum parcel.

Schedule 2	Amendments about dissolution of Residual Transport Corporation	1
		2
2.1	Transport Administration Act 1988 No 109	3
[1]	Section 3 Definitions	4
	Omit section 3(1), definition of <i>Residual Transport Corporation</i> or <i>RTC</i> .	5
[2]	Section 3B Ministerial responsibility and delegation	6
	Omit “Motorways,” from section 3B(1)(f1). Insert instead “Motorways.”	7
[3]	Section 3B(1)(g)	8
	Omit the paragraph.	9
[4]	Section 3G Directions by TfNSW to certain transport authorities	10
	Omit section 3G(1)(f1).	11
[5]	Section 3I Delegation of TfNSW’s functions	12
	Omit section 3I(3), definition of <i>authorised person</i> , paragraph (a1).	13
[6]	Section 3J Acceptance of delegated functions by TfNSW	14
	Omit “, RTC” from section 3J(1).	15
[7]	Section 3J(3)	16
	Omit the subsection.	17
[8]	Section 36C Other functions of Sydney Trains	18
	Omit “, RTC” from section 36C(2)(e).	19
[9]	Section 37C Other functions of NSW Trains	20
	Omit “, RTC” from section 37C(2)(e).	21
[10]	Section 55A Definition of “transport authority”	22
	Omit section 55A(h).	23
[11]	Section 68C Employment in the Transport Service	24
	Omit “, NSW Trains or RTC” wherever occurring in section 68C(2).	25
	Insert instead “or NSW Trains”.	26
[12]	Section 68Q Miscellaneous provisions relating to the Transport Service	27
	Omit “, Sydney Metro or RTC” wherever occurring in section 68Q(5)(c) and (6).	28
	Insert instead “or Sydney Metro”.	29
[13]	Section 68Q(5) and (6)	30
	Omit “, RTC” wherever occurring in section 68Q(5) and (6).	31
[14]	Section 68Q(10)(f1)	32
	Omit “functions, or” from section 68Q(10)(f1).	33
	Insert instead “functions.”	34

[15] Section 68Q(10)(g)	1
Omit the paragraph.	2
[16] Section 81A Definition	3
Omit the definition of <i>Authority</i> , paragraph (g).	4
[17] Section 89 Definitions	5
Omit “, RTC” from the definition of <i>rail authority</i> .	6
[18] Section 89, definition of “State rail operator”	7
Omit “, RTC”.	8
[19] Section 111 Referral of disputes	9
Omit “RTC and” from section 111(3), definition of <i>transport authority</i> .	10
[20] Section 111(3), definition of “transport authority”	11
Omit “(including RTC)”.	12
[21] Section 112 Personal liability of certain persons	13
Omit section 112(2), definition of <i>member of a transport authority</i> , paragraph (b).	14
[22] Section 112(2), definition of “transport authority”, paragraph (a1)	15
Omit the paragraph.	16
[23] Section 113 Presumption of validity	17
Omit section 113(3).	18
[24] Section 115 Recovery of charges etc by transport authority	19
Omit “RTC and” from section 115(2), definition of <i>transport authority</i> .	20
[25] Section 116 Liability of vehicle owner for parking offences on Authority’s land	21
Omit “, RTC” from section 116(7), definition of <i>parking offence</i> .	22
[26] Schedule 1 Functions of Transport for NSW	23
Omit “, RTC” wherever occurring in clause 1(i).	24
[27] Schedule 1, clause 4A(4), definition of “transport authority”, paragraph (c3)	25
Omit the paragraph.	26
[28] Schedule 1, clause 5(7)	27
Omit “RTC and”.	28
[29] Schedule 4 Transfer of assets, rights and liabilities	29
Omit “, TAM or RTC” from clause 14(1)(a).	30
Insert instead “or TAM”.	31
[30] Schedule 6A Powers relating to rail infrastructure facilities and land	32
Omit “, RTC” from clause 1, definition of <i>rail authority</i> , paragraph (a).	33

[31] Schedule 6A, clause 1B(2)	1
Omit “, NSW Trains or RTC”. Insert instead “or NSW Trains”.	2
[32] Schedule 7 Savings, transitional and other provisions	3
Insert at the end of the schedule, with appropriate part and clause numbering—	4
Part Dissolution of Residual Transport Corporation	5
Dissolution of Residual Transport Corporation	6
(1) The Residual Transport Corporation is dissolved.	7
(2) The Residual Transport Corporation Fund is abolished.	8
[33] Schedule 9 Residual Transport Corporation	9
Omit the schedule.	10
2.2 Transport Administration (General) Regulation 2018	11
[1] Clause 3 Definitions	12
Omit “RTC land,” from clause 3(1), definition of <i>Authority land</i> .	13
[2] Clause 3(1), definition of “relevant Authority”, paragraph (c)	14
Omit the paragraph.	15
[3] Clause 3(1), definition of “RTC land”	16
Omit the definition.	17
2.3 Criminal Procedure Regulation 2017	18
Schedule 3 NSW Government agencies and statutory bodies required to pay court fees	19
Omit “Residual Transport Corporation”.	20
2.4 Local Government Act 1993 No 30	22
[1] Section 555 What land is exempt from all rates?	23
Omit “Residual Transport Corporation of New South Wales or” from section 555(1)(g1).	24
[2] Section 600 Rebates in respect of certain land vested in public bodies	25
Omit “Residual Transport Corporation of New South Wales,” from section 600(9), definition of <i>public body</i> .	26
	27
[3] Section 742 Dispute resolution	28
Omit the matter relating to Residual Transport Corporation of New South Wales from section 742(7), definition of <i>Department of the Government</i> .	29
	30
2.5 Pipelines Act 1967 No 90	31
Section 3 Definitions	32
Omit “Residual Transport Corporation of New South Wales,” from section 3(1), definition of <i>public authority</i> , paragraph (a).	33
	34

2.6 Public Spaces (Unattended Property) Regulation 2022	1
[1] Schedule 2 Authorities and areas of operations	2
Omit “Metro,” from clause 14(1)(d). Insert instead “Metro.”	3
[2] Schedule 2, clause 14(1)(e)	4
Omit the paragraph.	5
2.7 Roads Act 1993 No 33	6
Section 94 Roads authority may carry out drainage work across land adjoining public road etc	7
Omit “Residual Transport Corporation of New South Wales,” from section 94(2).	8
2.8 Rural Fires Act 1997 No 65	10
[1] Section 27 Permission needed from transport authorities for exercise of certain functions	11
Omit section 27(4), definition of <i>transport authority</i> , paragraph (d).	12
[2] Section 100A Definitions	13
Omit “, Transport Asset Manager of New South Wales or Residual Transport Corporation of New South Wales” from section 100A(1), definition of <i>managed land</i> , paragraph (c).	14
Insert instead “or Transport Asset Manager of New South Wales”.	15
[3] Dictionary	16
Omit “Residual Transport Corporation of New South Wales,” from the definition of <i>managed land</i> , paragraph (c).	17
2.9 Water Act 1912 No 44	18
[1] Section 12 Licence	19
Omit “Residual Transport Corporation of New South Wales,” from section 12(3).	20
[2] Section 14 Renewal	21
Omit “Residual Transport Corporation of New South Wales,” from section 14(1B).	22
2.10 Water Management (General) Regulation 2025	23
[1] Schedule 4 Access licence and approval exemptions	24
Omit “Trains,” from section 40(b). Insert instead “Trains.”.	25
[2] Schedule 4, section 40(c)	26
Omit the paragraph.	27
2.11 Water (Part 2—General) Regulation 1997	28
Clause 27 Public authorities	29
Omit “Residual Transport Corporation”.	30

2.12 Water (Part 5—Bore Licences) Regulation 1995	1
Clause 8 Prescribed public authorities: sec 116A	2
Omit “Residual Transport Corporation”.	3

Schedule 3	Amendments about dissolution of SRA Residual Holding Corporation	1
		2
3.1	Transport Administration Act 1988 No 109	3
[1]	Section 3 Definitions	4
	Omit section 3(1), definition of <i>State Rail Authority Residual Holding Corporation</i> (or <i>SRA Residual Holding Corporation</i>).	5
		6
[2]	Section 94 Transfers of assets, rights and liabilities	7
	Omit “the SRA Residual Holding Corporation,” from section 94(6).	8
[3]	Section 94(7)	9
	Omit the subsection.	10
[4]	Schedule 7 Savings, transitional and other provisions	11
	Insert at the end of the schedule, with appropriate part and clause numbering—	12
Part	Dissolution of SRA Residual Holding Corporation	13
	Date of dissolution of SRA Residual Holding Corporation	14
	To avoid doubt, the State Rail Authority Residual Holding Corporation, also known as the SRA Residual Holding Corporation, is taken to have been dissolved on 30 June 2025.	15
		16
		17
	Note— A proclamation dissolving the State Rail Authority Residual Holding Corporation was notified on the NSW legislation website on 27 June 2025 and published in the Gazette on 1 July 2025.	18
		19
		20
[5]	Schedule 8 SRA Residual Holding Corporation	21
	Omit the schedule.	22
3.2	Government Sector Finance Regulation 2024	23
	Section 6 Accountable authorities—the Act, s 2.7(3)	24
	Omit section 6(b)(ii).	25
3.3	Local Government Act 1993 No 30	26
[1]	Chapter 15 How are councils financed?	27
	Omit “, the State Rail Authority Residual Holding Corporation” from Part 8, Division 2, note.	28
		29
[2]	Section 600 Rebates in respect of certain land vested in public bodies	30
	Omit “the State Rail Authority Residual Holding Corporation,” from section 600(9), definition of <i>public body</i> .	31
		32

Schedule 4	Amendments relating to Port Authority of New South Wales	1
		2
4.1	Ports and Maritime Administration Act 1995 No 13	3
[1]	Section 3 Definitions	4
	Omit “Newcastle Port Corporation established under this Act” from section 3(1), definition of <i>Port Authority of New South Wales</i> .	5
		6
	Insert instead “corporation established under section 6”.	7
[2]	Section 3(1), definition of “Port Corporation”	8
	Omit “Newcastle Port Corporation established under section 6 (known as the Port Authority of New South Wales)”.	9
		10
	Insert instead “Port Authority of New South Wales”.	11
[3]	Part 2, heading	12
	Omit the heading. Insert instead—	13
	Part 2 Port Authority of New South Wales	14
[4]	Part 2, Division 1	15
	Omit the division. Insert instead—	16
	Division 1 Establishment of Port Authority of New South Wales	17
	6 Establishment of Port Authority of New South Wales	18
	(1) There is constituted by this Act a corporation with the corporate name of the Port Authority of New South Wales, also known in this Act as the Port Corporation.	19
		20
		21
	(2) The Port Authority of New South Wales is the same entity as and the continuation of the Newcastle Port Corporation.	22
		23
4.2	Aware Super Act 1992 No 100	24
	Schedule 1 Employers	25
	Omit “Newcastle Port Corporation”.	26
	Insert instead “Port Authority of New South Wales”.	27
4.3	Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021	28
		29
	Section 53A Persons with function of issuing subdivision certificates—the Act, s 6.5A	30
		31
	Omit “Newcastle Port Corporation” from section 53A(1)(a).	32
	Insert instead “Port Authority of New South Wales”.	33

4.4 Marine Pollution Act 2012 No 5	1
Section 3 Definitions	2
Omit “Newcastle Port Corporation” from the definition of <i>Port Authority of New South Wales</i> .	3
Insert instead “Port Authority of New South Wales”.	4
4.5 State Authorities Non-contributory Superannuation Act 1987 No 212	6
Schedule 1 Employers	7
Omit “Newcastle Port Corporation” from Part 1.	8
Insert instead “Port Authority of New South Wales”.	9
4.6 State Authorities Superannuation Act 1987 No 211	10
Schedule 1 Employers	11
Omit “Newcastle Port Corporation” from Part 1.	12
Insert instead “Port Authority of New South Wales”.	13
4.7 State Environmental Planning Policy (Transport and Infrastructure) 2021	14
Clauses 2.80(1)(a) and (3), 2.81(2), 2.82, 2.83(1) and 2.84(c)(i)	16
Omit “Newcastle Port Corporation” wherever occurring.	17
Insert instead “Port Authority of New South Wales”.	18
4.8 State Owned Corporations Act 1989 No 134	19
Schedule 5 Statutory SOCs	20
Omit “Newcastle Port Corporation”.	21
Insert instead “Port Authority of New South Wales”.	22
4.9 Superannuation Act 1916 No 28	23
Schedule 3, Part 1 and Schedule 26, Part 1	24
Omit “Newcastle Port Corporation” wherever occurring.	25
Insert instead “Port Authority of New South Wales”.	26

Schedule 5	Miscellaneous amendments of other legislation	1
5.1	Community Improvement Districts Act 2025 No 25	2
[1]	Section 13 CID proposal ballot	3
	Insert after section 13(2)(b)—	4
	(b1) only one person may vote for each business or commercial enterprise operating within the boundaries of the CID, and	5
	Note— There is only one vote per business. If a business is operated by 3 persons, for example as a partnership, only one person may vote.	6
[2]	Section 33 Application of Act to government land	9
	Insert after section 33(2)—	10
	(2A) The land or the specified part of the land referred to in subsection (2) is taken—	11
	(a) for this Act—to be rateable land categorised as business under the <i>Local Government Act 1993</i> , and	12
	(b) for section 22(9)(a)—to be not exempt from rates under the <i>Local Government Act 1993</i> , section 555.	13
[3]	Section 34 Meaning of “government land”	14
	Omit section 34(1)(a).	15
5.2	Marine Pollution Act 2012 No 5	16
	Section 135 Requirement to carry garbage record book on board ship	17
	Omit “400” wherever occurring in section 135(2)(b) and (3), definition of <i>prescribed ship</i> , paragraph (a).	18
	Insert instead “100”.	19
5.3	Ports and Maritime Administration Act 1995 No 13	20
[1]	Section 46A Meaning of “lines handling service”	21
	Insert after section 46A(1)(b)—	22
	(b1) a vessel, or a vessel of a kind, identified by the harbour master for the port concerned by a direction given in a way specified in the <i>Marine Safety Act 1998</i> , section 88(5),	23
[2]	Section 46Y, heading	24
	Insert “vessels,” after “enter”.	25
[3]	Section 46Y	26
	Insert “a vessel,” after “enter”.	27
[4]	Section 46ZD Regulations about provision of licensed services and licences	28
	Omit “applications relating to” from section 46ZD(2)(f).	29
[5]	Section 110 Regulations	30
	Insert after section 110(1B)(b)—	31

(b1)	requiring, or authorising the Minister to require, port operators and relevant port authorities to give records or information about delivery orders or manifests to the Minister or TfNSW,	1 2 3
(b2)	requiring, or authorising the Minister to require, port operators of private ports to give records or information about port operator directions and port charges to the Minister or TfNSW,	4 5 6
(b3)	requiring, or authorising the Minister to require, a master of a vessel in a pilotage port to obtain the approval of the relevant authority for the pilotage port before undertaking specified activities,	7 8 9
[6]	Schedule 4 Regulations to promote competition and productivity at ports	10
	Insert after clause 7—	11
8	Unique identification numbers	12
	Provision and use of unique identification numbers for access to land-based port facilities or services or facilities and services of the port-related supply chain.	13 14 15
5.4	Road Transport Act 2013 No 18	16
	Section 134 Approval of devices by Governor	17
	Omit section 134(3).	18
5.5	Roads Act 1993 No 33	19
[1]	Section 77A	20
	Insert after section 77—	21
77A	Road work speed limit signs	22
(1)	A roads authority must install, maintain and remove road work speed limit signs in accordance with the standard.	23 24
(2)	A roads authority must ensure that a person acting on behalf of the roads authority, whether under a contract or another arrangement, must install, maintain and remove road work speed limit signs in accordance with the standard.	25 26 27 28
(3)	In this section—	29
	<i>standard</i> means a standard that includes provisions about the installation, maintenance and removal of road work speed limit signs, published by TfNSW in the Gazette from time to time.	30 31 32
	Note— Under section 120 the Minister may order a roads authority to take or not take action in relation to the regulation of traffic on a public road as specified in the order.	33 34

[2] Section 144B Roads authority not to obstruct light rail system	1
Omit “section 186 of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> ” from section 144B(4).	2 3
Insert instead “the <i>Road Transport Act 2013</i> , section 148B”.	4